

ITEM NO.26                      Court 1 (Video Conferencing)                      SECTION II-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) No.5468/2020

(Arising out of impugned final judgment and order dated 23-09-2020 in MCRC No. 33804/2020 passed by the High Court of M.P. at Gwalior)

BALVEER YADAV

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(APPLN. SEEKING PERMISSION TO PLACE ON RECORD ADDL.DOCUMENTS AND APPLN.SEEKING EXEMPTION FROM FILING O.T.)

Date : 20-10-2021 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s)

Mr. Shishir Kumar Saxena, Adv.  
Mr. Brijendra Singh, Adv.  
Mr. P.N. Pareek, Adv.  
Mr. Jagmohan Pareek, Adv.  
Ms. Payal Swarup, Adv.  
Mr. Praveen Swarup, AOR

For Respondent(s)

Mr. D.S. Parmar, AAG, MP  
Mr. Abhinav Singh, Adv.  
Mr. Gopal Jha, AOR  
Mr. Shreyash Bhardwaj, Adv.  
Mr. Nishant Verma, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The Court is convened through Video Conferencing.

Applications seeking exemption from filing official translation of Annexure as also seeking permission to place on record additional documents filed by the petitioner are allowed.

Heard learned counsel appearing for the petitioner, learned Additional Advocate General/learned counsel appearing for the State of Madhya Pradesh and carefully perused the relevant material available on record.

Taking into consideration the fact that the investigation in the matter is complete, charge-sheet has already been filed in the month of July, 2020, the petitioner is reported to be in custody since 22-7-2020, has suffered incarceration for around 1 year and 3 months and the evidence placed before us in which three family members of the victim turned hostile and there is no likelihood of completion of trail in the near future, which facts are not controverted by the learned Additional Advocate General/learned counsel appearing for the State of MP, during the course of hearing, we are inclined to enlarge him on bail.

The petitioner is, therefore, directed to be enlarged on bail, subject to such terms and conditions which the concerned Trial Court shall deem fit and appropriate to impose upon him.

The above observations, however, shall have no bearing on the merits of the case.

The Special Leave Petition stands disposed of in above terms.

(VISHAL ANAND)  
ASTT. REGISTRAR-cum-PS

(R.S. NARAYANAN)  
COURT MASTER (NSH)